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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims **1-34** are pending in the application.

Claims **1-34** have been rejected.

Claims **1, 2, 8, 15, 23, 24, 30** and **32** have been amended in this submission. It is respectfully submitted that no new matter is added by these amendments.

CLAIM REJECTIONS

35 U.S.C. § 101 Rejection

In the Office Action, the Examiner rejected claims 1-7, 10, 14-15, 17, 18 and 24-34 under 35 U.S.C. § 101, as being directed to non-patentable subject matter. In particular, the Examiner stated that a claimed “process must (1) be tied to a particular machine or (2) transform underlying subject matter to a different state or thing.” (Office action, p. 2, citing *In re Bilski*).

Claims 1, 24 and 32 have been amended to clarify that the recited method is one performed by “a server processor.” Accordingly, it should now be clear that the method is tied to a particular machine, i.e., a hardware server, and not merely an abstract method that may be performed without use of a particular machine. It is respectfully submitted that the amendment does not narrow the scope of the claims.

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Support for the amendment may be found throughout the specification, for example:

Central server 20 may include one or more database(s) 22, a controller or processor 24, and software 26, which may include for example, an identity generator 28, or other suitable modules. Controller or processor 24 may execute instructions in software 26 to perform various functions such as those described herein. (Application as filed, para. [0030]).

Applicants respectfully assert that claims 1, 24 and 32 are proper under 35 U.S.C §101. Each of claims 2-7, 10, 14-15, 17, 18, 25-31 and 33-34 depends, directly or indirectly from one of claims 1, 24 and 32. Accordingly, Applicants request that the rejection of claims 1-7, 10, 14-15, 17, 18 and 24-34 under 35 U.S.C. § 101 be withdrawn.

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claims 8, 23 and 30 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In light of amendments to claims 8, 23 and 30 clarifying the scope of the claims, the rejection is moot, insofar as the scope of the claims has been clarified. It is respectfully submitted that the amendment does not narrow the scope of the claims.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-3, 7, 9-13, 15, 24, 26, 29 and 31 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauc (NPL). Applicant respectfully traverses the rejection for at least the reasons that follow.

The Sweetchillisauc reference merely discloses a correspondence between parties. Specifically, the Sweetchillisauc discloses a number of facsimile transmissions in which a first party apparently attempts to receive money from a second party which apparently suspects the first party and, instead of providing requested details, provides the first party with false details.

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To further clarify the scope of the invention, Applicant has amended independent claims 1 and 24 to recite a server processor. As amended, claim 1 recites “responding, by the server processor, to a contact point created by a party committing fraud” (emphasis added). Likewise, claim 24 has been amended to recite “a server processor to: respond to a contact point created by a party committing fraud” (emphasis added). Because it merely shows correspondence between two people, the Sweetchillisauc reference does not disclose a server processor to respond to a contact point created by a party committing fraud.

Accordingly, independent claims 1 and 24 are allowable over the Sweetchillisauc reference. Each of dependent claims 2-3, 7, 9-13, 15, 26, 29 and 31 depends, directly or indirectly, from independent claims 1 and 24 and includes all the features of the claim from which it depends as well as additional distinguishing features, and is therefore allowable. Accordingly, claims 2-3, 7, 9-13, 15, 26, 29 and 31 are allowable over the Sweetchillisauc reference. However, some of claims 2-3, 7, 9-13, 15, 26, 29 and 31 merit further discussion.

Regarding claim 2, to find the element of “responding a plurality of times, each response including a different set of details”, the Examiner pointed to Stella Mike generating multiple requests directed to different individuals. To further clarify the scope of the invention, claim 2 has been amended to recite “responding to a contact point a plurality of times, each response including a different set of details” (emphasis added).

In contrast to Stella Mike who sends multiple requests to a plurality of potential victims and possibly receives multiple responses, the present Application discloses a server that provides multiple responses to a contact point, e.g., in order to mimic a group of users.

The central server may respond multiple times to mimic a group of users responding to the fraud (each response may include different data), and the responses may be timed, paced, and/or numbered to mimic the natural response of a large group of people. (Application as filed, para. [0031]).

Regarding claim 3, the Sweetchillisauc reference is silent with respect to the element of “the contact point is an Internet address referring to a web site” as recited by claim 3.

Regarding claims 4 and 26, to find the element of “the contact point is an e-mail address”, the Examiner pointed to the email address of Stella Mike. However, as disclosed by the Sweetchillisauc reference, an email address is not used as a contact point; Kris Kringle

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does not provide his email address, nor does he contact Stella Mike using email. Rather, fax is specifically indicated.

Regarding claims 7 and 29, to find the element of "each response includes a set of details that are internally consistent", the Examiner stated the "it may be inferred that the set of details in the response are internally consistent in order to make the response appear genuine". However, as disclosed by the Sweetchillisauce reference, the details provided by Kris Kringle are obviously not designed to be consistent in any way. For example, Kris Kringle provides a phone number of 613-9833 xxxx.

In contrast, the present Application discloses generating responses that include details which are internally consistent and appear to be legitimate.

Each response may include details which are internally consistent within the response. For example, according to one embodiment of the invention the system and method includes an "identity generator", which produces phony details that appear to be legitimate (e.g., adhering to the rules of different data elements, such as user names and passwords, online banking credentials, credit card details, checks etc.). The identity generator may be configured to match each specific company's details and rules. (Application as filed, para. [0043]).

* * *

Thus in one embodiment, the details within a response includes a set of details consistent with an Internet service provider to be used for the response. A phone number that may be part of the details may match the address as well as the telephone exchange used for a dial-up connection used to transmit the response. In addition the e-mail address may match the ISP used and so on. (Application as filed, para. [0044]).

Regarding claims 11-13 and 31, to find the elements of responding using a plurality of Internet access points, a plurality of intermediate networks, a plurality of intermediate Internet service providers the Examiner again pointed to Stella Mike generating multiple requests directed to multiple users that may respond over a variety of networks or access points. In contrast, the present Application discloses providing, by a server (and not by a plurality of users), a plurality of responses using a plurality of Internet access points, a plurality of intermediate networks, a plurality of intermediate Internet service providers.

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Regarding claim 15, to find the element of “wherein the number of is in proportion to a size of an attack in response to which the responses are sent”, the Examiner pointed to each response being generated in response to a scam request. To further clarify the scope of the invention, claim 15 has been amended to recite “wherein the number of responses sent by the server processor is in proportion to a size of an attack in response to which the responses are sent” (emphasis added). Although disclosing a plurality of users responding to a respective plurality of requests, Sweetchillisauce does not disclose a server processor to generate a number of responses that is proportional to a size of an attack.

In the Office Action, the Examiner rejected claims 3, 16 and 25 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauce in view of Applicant Admitted Prior Art (AAPA). The Applicant Admitted Prior Art can not cure the deficiencies of Sweetchillisauce discussed above. Accordingly, claims 3, 16 and 25 are allowable over the combination of Sweetchillisauce and Applicant Admitted Prior Art, at least by reason of depending from an allowable base claim.

In the Office Action, the Examiner rejected claims 5, 6, 8, 18, 27 and 28 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauce in view of U.S. Pat. Pub. No. 2005/0257261 (Shraim). Applicant respectfully traverses the rejection for at least the reasons that follow.

Primarily, Shraim can not cure the deficiencies of Sweetchillisauce discussed above. Accordingly, claims 5, 6, 8, 18, 27 and 28 which depend, directly or indirectly from allowable base claims are allowable over the combination of Sweetchillisauce and Shraim, at least by reason of depending from an allowable base claim.

In addition, Shraim is directed to systems, methods and software, for dealing with unethical uses of electronic mail, and in particular, with attempts to use email messages to facilitate online fraud.

Various embodiments of the invention provide solutions, including systems, methods and software, for dealing with unethical uses of

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electronic mail, and in particular, with attempts to use email messages to facilitate online fraud. (Shraim, Abstract).

However, specifically directed to electronic mail, Shraim can not cure the deficiencies of Sweetchillisauc discussed above. Accordingly, claims 5, 6, 8, 18, 27 and 28 are allowable over the combination of Sweetchillisauc and Shraim.

In the Office Action, the Examiner rejected claim 14 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauc in view of U.S. Pat. Pub. No. 2006/0053490 (Hertz). Applicant respectfully traverses the rejection for at least the reasons that follow.

Primarily, Hertz can not cure the deficiencies of Sweetchillisauc discussed above. Accordingly, claim 14 which depends from allowable base claim 1 is allowable over the combination of Sweetchillisauc and Hertz.

Hertz is directed to detecting, preventing, and repairing network intrusions. To find the element of “data in a response is marked, the method comprising monitoring an institution for the use of marked data in an attempted transaction”, the Examiner pointed to paragraph [0088] of Hertz which discloses:

Certainly in such an event, autonomously implemented counter measures may also be performed if appropriate as a defensive or evasive action or deterrent, e.g., if a pass code was inadvertently sent out (and it was not blocked by the system) the pass code could be automatically changed or temporarily frozen or if a personal bank account or credit card number were sent out in a suspected inappropriate context (again assuming it was not blocked at the source by the system), the account could be automatically temporarily frozen and the number changed or (for example) the account automatically set up as a honey pot trap to acquire just enough information about who the suspect entity is in order to catch him in an inappropriate act of fraud or deception.

However, although disclosing measures taken when a password or other sensitive information has leaked and a honey pot trap to acquire information about a suspected entity, paragraph [0088] does not disclose responding with marked data or other elements in claim 14.

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In the Office Action, the Examiner rejected claim 17 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauc in view of U.S. Pat. No. 6,330,672 (Shur). Applicant respectfully traverses the rejection for at least the reasons that follow.

Primarily, Shur can not cure the deficiencies of Sweetchillisauc discussed above. Accordingly, claim 17 which depends from allowable base claim 1 is allowable over the combination of Sweetchillisauc and Shur.

In addition, Shur is directed to protecting copyright protected work. As disclosed by Shur, a digital watermark is inserted in accordance with a key that is indicative of the location of the mark in a digitally encoded signal. To find the element of “marking a response using a cryptographic algorithm, such that the marking is detectable only with a suitable cryptographic key”, the Examiner pointed to lines 40-67 in column 3 of Shur. Although the cited portion discloses a watermark applied at the time of fixing in a copy, thus enabling validating a copy. However, the cited portion, as is the Shur reference, is unrelated to a response, rather, to content being distributed. Accordingly, and for this additional reason, claim 17 is allowable over the combination of Sweetchillisauc and Shur.

In the Office Action, the Examiner rejected claims 19, 22 and 32 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauc in view of AAPA. Applicant respectfully traverses the rejection for at least the reasons that follow. Generally, the Applicant Admitted Prior Art does not cure the deficiencies of Sweetchillisauc discussed above. The above discussion of independent claims 1 and 24 is relevant to claims 19 and 32 which recite similar elements.

In addition, claims 19 and 32 recite the element of “contacting a plurality of times a website and, with each contact, filling in a web-form with a set data, each set of data including a set of details, the set of details including a set of false personal information.” In addition to deficiencies of the Sweetchillisauc reference discussed above, the Sweetchillisauc reference is unrelated to contacting a web site and specifically, “contacting a plurality of times a website”, nor to filling in a web-form and specifically, “filling in a web-form with a set data, each set of data including a set of details, the set of details including a set of false personal

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information.”. Accordingly, claims 19, 22 and 32 are allowable over the combination of Sweetchillisauc and Applicant Admitted Prior Art.

In the Office Action, the Examiner rejected claims 20, 21, 23, 33 and 34 under 35 U.S.C. § 103(a), as being unpatentable over Sweetchillisauc in view of AAPA and in further view of Shraim. Applicant respectfully traverses the rejection for at least the reasons that follow. As discussed, neither AAPA nor Shraim can cure the deficiencies of the Sweetchillisauc reference. Moreover, In light of the discussion above, each of dependent claims 20, 21, 23, 33 and 34 depends, directly or indirectly, from independent claims 1 and 32 and includes all the features of the claim from which it depends as well as additional distinguishing features, and is therefore allowable. Accordingly, claims 20, 21, 23, 33 and 34 are allowable over the combination of Sweetchillisauc, AAPA and Shraim.

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Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

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